

## **Remarks**

New claims 26-30 have been added to cover subject matter that was disclosed, but was not yet claimed. There is support for Claim 26 in Fig. 2A, support for Claim 27 in Fig. 2B, support for Claim 28 in Fig. 3A, support for Claim 29 in Fig. 3B, and support for Claim 30 in Par. [0024].

## **Claim Rejections**

### **35 USC §112, 2<sup>nd</sup> Paragraph Rejections**

Claims 2, 6 and 7 were rejected on the basis that it is unclear which melt flow index (MFI) testing conditions were used.

The claims have been amended to specify that the MFI is expressed in g/10 min. There is support for this amendment in the specification at Figure 4A, expressing MFI as g/10 min. Also, the Sosa reference which was incorporated by reference at Par. [003] of this application discloses that MFI is measured according to ASTM Method D1238, which is also expressed as g/10 min. See Sosa 5,540,813 patent, Table III, footnote c.

Applicants believe that the claim amendments and above explanation will overcome such rejections.

### **35 USC §102 Rejections**

Claims 1, 3 and 4 were rejected under 35 USC §102(b) as being anticipated by Cernohous et al. (U.S. 6,379,791) as based upon the Styron™ 484 and Styron™ 615 data sheets.

Independent Claim 1 has been amended to specify that the polymers consist of melt-blended styrenic polymers. In contrast, Cernohous is directed to a composite pressure sensitive adhesive that is multilayer in nature and that is comprised of an olefin containing polymer and acrylic adhesive segment, besides the styrene containing polymer and the butadiene-containing polymer. Cernohous does not teach, disclose, or suggest a melt blend that consists of polystyrene polymers. Further, as the Examiner acknowledges, the Styron™ 615 data sheet for the general-purpose polystyrene

discloses a MFI of 14g/10 min., rather than that claimed by Applicants (20 g/10 min. to about 40 g/10 min.).

As such, no prima facie case of anticipation has been made and Applicants respectfully submit that the claims as amended are allowable. Additionally, Applicants submit that the newly added claims are also allowable since they depend from allowable claims.

### **35 USC §103 Rejections**

Claims 2, 6 and 7 were also rejected under 35 USC §103(a) as being unpatentable over Cernohous et al. (U.S. 6,379,791) as based upon the Styron™ 484 and Styron™ 615 data sheets.

The Cernohous et al. reference is discussed above; it does not teach, disclose, or suggest a melt blend that consists of polystyrene polymers. As the Examiner acknowledges, the Styron™ 615 data sheet for the general-purpose polystyrene discloses a MFI of 14g/10 min., rather than that claimed by Applicants (20 g/10 min. to about 40 g/10 min.). There is no suggestion within the cited prior art to modify the Cernohous et al. reference or the Styron™ product in order to arrive at Applicants' claimed invention. As such, no prima facie case of obviousness has been made and Applicants respectfully submit that the claims as amended are allowable.

Claims 1-4, and 6 and 7 were also rejected under 35 USC §103(a) as being obvious over Holden et al. (U.S. 4,188,432). Holden discloses articles made of polystyrene, a polyolefin component, and a block copolymer or polystyrene and hydrogenated polybutadiene; the article has a skin layer that is enriched in polyolefin to impart resistance to fatty substances. Holden, however, does not teach, disclose, or suggest a melt blend that consists of polystyrene polymers. As such, no prima facie case of obviousness has been made and Applicants respectfully submit that the claims as amended are allowable.

Claim 5 is rejected under 35 USC §103(a) as being unpatentable over Holden et al. (U.S. 4,188,432), as previously applied to Claims 1-4, and 6-7, in view of Agarwal (U.S. 5,541,285) and Kaulbach et al. (U.S. 6,713,141). The Holden et al. reference is discussed above; it does not teach, disclose, or suggest a melt blend that consists of polystyrene polymers. As the Examiner acknowledges, Holden also does not disclose the extruded shear rate.

Kaulbach et al. discloses a copolymer of tetrafluoroethylene (TFE) with units of perfluoro alkyl vinyl ethers (PFA), and teaches the mixing of low molecular weight PFA's with high molecular weights PFA's, and discusses extrusion speed/shear rate.

Agarwal discloses a method to process narrow molecular weight distribution polyolefins and polyacrylates, and discusses extrusion rates therefore.

None of the cited references alone or in combination teach the melt blending of polymers consisting of styrenic polymers, where the product is extruded at a shear rate from about 1,000 to about 15,000 s<sup>-1</sup>. Further, there is no suggestion to combine the cited references to arrive at Applicants' invention or any motivation or suggestion to modify the cited prior art to arrive at Applicants' claimed invention. As such, no prima facie case of obviousness has been made and Applicants respectfully submit that the claims as amended are allowable. Additionally, Applicants submit that the newly added claims are also allowable since they depend from allowable claims.

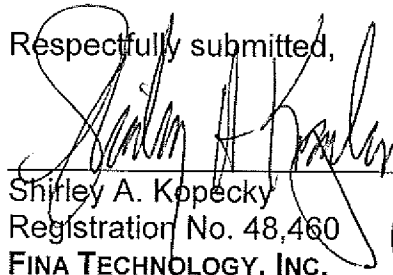
### **CONCLUSION**

Based upon the foregoing, Applicants respectfully submit that the newly amended and added claims are in condition for allowance.

The Commissioner is hereby authorized to charge the fees for the two-month extension of time, and any additional fees that may be required or to credit any overpayment to Account No. 03-3345.

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Respectfully submitted,



Shirley A. Kopecky  
Registration No. 48,460  
**FINA TECHNOLOGY, INC.**  
P.O. Box 674412  
Houston, Texas, 77267-4412  
Telephone: 713-483-5386  
Facsimile: **713-483-5384**  
Attorney for Applicant(s)  
Customer No. 25264